**THE HON'BLE MS JUSTICE G.ROHINI**

WRIT PETITION No.16823 of 2005

Dated 10-02-2006

Between:

Maheswari Educational Society, rep. by its President,

Hyderabad.

**..... PETITIONER**

AND

The Government of Andhra Pradesh, rep. by its Principal Secretary, Hyderabad, and two others.

**.....RESPONDENTS**

**THE HON'BLE MS JUSTICE G.ROHINI**

WRIT PETITION No.16823 of 2005

O R D E R:

The petitioner claims to be an Educational Society running various educational institutions. It is stated that the petitioner-Society intended to establish a School of Nursing at Hyderabad and accordingly approached the then Selection Committee for Paramedical Institutions existing at the relevant point of time. It appears that since the Selection Committee refused to issue application, the petitioner-Society filed W.P.No.8508 of 2004 and in pursuance of the directions issued by this Court, the petitioner-Society was issued an application form. Thereafter the petitioner-Society submitted the application following the norms prescribed for establishment of School of Nursing. In pursuance thereof, an Inspection Team appointed by the Selection Committee for Paramedical Institutions made necessary inspection and submitted its inspection report. Meanwhile since the Selection Committee for paramedical Institutions was disbanded, in pursuance of the Government Memo dated 26-10-2004, the second respondent appointed re-inspection team, which inspected the petitioner's proposed School of Nursing and submitted a fresh report. In spite of the same, since the respondents failed to consider the request of the petitioner for grant of permission to establish a School of Nursing, the petitioner-Society filed W.P.No.6401 of 2005, which was disposed of by order dated 25-03-2005 with a direction to the respondents to consider the representation dated 16-02-2005 submitted by the petitioner-Society and pass appropriate orders, in accordance with

law, within a period of four weeks. In pursuance thereof, the second respondent issued proceedings dated 23-07-2005 informing the petitioner-Society that its application was referred to the District Level Team for re-verification of the proposed institution. Aggrieved by the same, the present writ petition is filed contending, *inter alia,* that since the petitioner's proposed institution was inspected twice by the duly constituted committees and verification reports were also submitted, there is absolutely no justification in directing further inspection. The petitioner-Society contends that in pursuance of the order dated 25-03-2005 in W.P.No.6401 of 2005, the respondents ought to have granted permission to the petitioner-Society as was done in respect of the similarly situated institutions for establishing the proposed institutions on the basis of the inspection reports already submitted.

On behalf of the respondents, a counter-affidavit has been filed by the Director of Medical Education, Hyderabad, in which it is stated that since some allegations were made on the floor of the Assembly alleging that there was no proper verification in scrutinizing the applications for establishment of Schools/Colleges of Nursing and that said process was afflicted with favouritism, the Government of Andhra Pradesh issued Memo dated 12-01-2005 for re-verification of the request made by the different applicants. Accordingly, G.O.Rt.No.448 dated 25-04-2005 was issued directing re-verification, which is only for the purpose of maintaining the transparency and the petitioner-Society is in no way prejudiced. Hence the writ petition is misconceived and the relief as prayed for cannot be granted.

I have heard the learned counsel for the petitioner-Society and the learned Government Pleader appearing for the respondents.

May be that the institution proposed to be established by the petitioner-Society was earlier inspected twice, however as can be seen from the material on record, in view of various allegations received with regard to the procedure followed in scrutinizing the applications for establishment of Schools/Colleges of Nursing, the Government issued Memo, dated 12-01-2005, directing the Director

of Medical Education to re-verify the proposals. In pursuance thereof and pursuant to the instructions issued under G.O.Rt.No.448 dated 25-04-2005, District Level Teams were constituted.

Thus, it is clear that re-verification was ordered based on a policy decision taken by the Government to maintain transparency in the scrutiny of the applications submitted by various applicants for establishment of Schools/Colleges of Nursing. The contention of the learned counsel for the petitioner-Society that G.O.Rt.No.448 dated 25-04-2005 does not apply to the case of the petitioner-Society is without any substance since admittedly as of today, no orders have been passed in favour of the petitioner-Society granting permission for establishment of proposed School of Nursing.

Hence, the writ petition is devoid of any merit and the relief as prayed for cannot be granted.

Accordingly the writ petition is disposed of with a direction to the second respondent to complete the re-verification as contemplated under the impugned proceedings dated 23-07-2005 and to take necessary further steps, in accordance with law, expeditiously. No costs.

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**(G. ROHINI, J)**

Date:10-02-2006

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